

RHINOCEROS AND TIGER CONSERVATION REAUTHORIZATION ACT OF 1998

MARCH 19, 1998.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3113]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3113) to reauthorize the Rhinoceros and Tiger Conservation Act of 1994, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3113 is to reauthorize the Rhinoceros and Tiger Conservation Act of 1994.

BACKGROUND AND NEED FOR LEGISLATION

During the 103rd Congress, the Rhinoceros and Tiger Conservation Act was enacted in an effort to help conserve the dwindling populations of rhinos and tigers living in the wild. While these species had once been prolific throughout Asia and Africa, during the past two decades they have suffered a tremendous population decline because of competition for land, human population growth, loss of habitat, and poaching. This occurred despite the fact that all populations of rhinoceros and tiger have been listed as endangered in the United States and by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since the mid-1970s.

At this time, it is estimated that there are about 11,000 rhinos left in the wild. This is a significant decrease from the 65,000 rhinos in 1970. Of the five species of rhinoceros—black, white, Indian, Javan, and Sumatran—only the population of white rhinos

shows any sign that it has stabilized or may be increasing in numbers in Southern Africa.

In 1987, the members of CITES voted to extend its worldwide ban on rhinoceros horn, urged the destruction of any stockpiles, and instructed all countries to stop all trade in rhino products. This international edict has been largely ignored. Rhino horn is still consumed as a pain medication in powdered form in China, Taiwan, and Korea; and it is used as decorative handles for ceremonial daggers in Yemen. As the population of rhinos has declined, the price of rhino horn has skyrocketed. In fact, African rhino horn can be worth as much as \$10,000 per kilogram and the rarer Asian rhino horn up to \$60,000 per kilogram.

In terms of tigers, the likelihood of their long-term survival is even more bleak. In fact, three subspecies Bali, Caspian, and Javan are already extinct and a fourth subspecies—South China—is on the brink of extinction with a population of only about 20 animals. According to the Cat Specialist Group of the World Conservation Union, there are only about 5,000 tigers living in the wild. This is a massive decline from the 100,000 tigers that existed at the turn of the century.

Nearly 60 percent of the world's surviving tigers, or about 3,750 animals, live in 21 forest reserves in India. However, despite strict government protection, about one tiger is killed every day in India.

Although agricultural and commercial logging have destroyed large amounts of tiger habitat, illegal hunting or poaching has had the most dramatic impact. Tigers are killed for their fur and most body parts. Tiger bone has been an ingredient in traditional Chinese medicines since at least 500 A.D. and its use is firmly established in several Asian cultures. In addition, traditional uses have been identified for almost every tiger body part, and tiger meat is considered a delicacy by some Chinese.

Tiger bone powders, wines, and tablets are used to combat pain, kidney and liver problems, rheumatism, convulsions, and heart conditions. In 1991, one-third of the world's Siberian tigers were killed to satisfy the demand for their bones and other parts. According to the World Wildlife Fund (WWF), a tiger pelt can be worth up to \$15,000 and tiger bones can sell for over \$1,400 per pound.

Most of the illegal trade in tiger parts occurs within the Asian continent. Burma, Cambodia, India, Laos, the Peoples Republic of China, South Korea, Taiwan, Thailand and Vietnam have all been identified as having serious poaching and consumption problems. In fact, according to CITES, South Korea has imported 10,500 pounds of tiger bone in the last six years. During the same period, China has reportedly exported more than 78 tons of tiger bones, which represents about 5,600 tigers—more than what may be alive today.

In an effort to try to stop poaching and conserve endangered rhinos and tigers, Congress enacted the Rhinoceros and Tiger Conservation Act of 1994. This landmark legislation, Public Law 103-391, established the Rhinoceros and Tiger Conservation Fund and authorized the Congress to appropriate up to \$10 million each year for conservation projects approved by the Secretary of the Interior. This Fund is authorized until September 30, 2000.

The 1994 law establishes specific criteria that each project must satisfy to qualify for Federal assistance, limits the amount of administrative costs to three percent of the Fund, gives priority to those projects that demonstrate an ability to match or exceed the amount of grant money with private funds, and allows individuals to donate money directly to the Fund to assist in the conservation of rhinos and tigers.

Since its enactment, Congress has appropriated \$1 million to the Rhinoceros and Tiger Conservation Fund. The Department of the Interior has funded 31 conservation projects to assist rhinos and tigers at a Federal cost of about \$585,000.

To date, the Service has funded 16 rhino projects, 7 tiger projects, and 8 projects that will benefit both species. These projects have included: an adopt-a-warden program in Indonesia; aerial monitoring of the Northern white rhinoceros in Zaire; establishment of a community rhino scout program for the survival of the black rhino populations in Kenya; investigation of poaching and illegal trade in wild tigers in India; a tiger community education program in Indonesia; and training of staff and surveys of four black rhino populations in the Selous Game Reserve in Tanzania. The sponsors of these projects, who are likely to match the grants with private funds, include the Friends of Conservation, African Rhino Specialist Group, International Rhino Foundation, the Minnesota Zoo Foundation, Wildlife Protection Society of India, and WWF.

Based on the success of the African Elephant Conservation Fund, the hope is that these grants will make a positive difference in the international fight to conserve rhinos and tigers.

COMMITTEE ACTION

H.R. 3113 was introduced by the Chairman of the Resources Committee, Congressman Don Young (R-AK), on January 27, 1998, and referred to the Committee on Resources. Within the Committee, the bill was referred to the Subcommittee on Fisheries Conservation, Wildlife and Oceans. The fundamental goal of H.R. 3113 is to extend the authorization of the Rhinoceros and Tiger Conservation Fund until September 30, 2004.

On February 5, 1998, the Subcommittee on Fisheries Conservation, Wildlife and Oceans conducted a hearing on H.R. 3113. Testimony was heard from the Honorable Bruce Babbitt, Secretary, Department of the Interior; Dr. Terry Maple, President and CEO, Zoo Atlanta; Ms. Kathryn Fuller, President, WWF; Ms. Dorene Bolze, Senior Policy Analyst, Wildlife Conservation Society; Dr. John Seidensticker, Curator of Mammals, National Zoological Park; Mr. Richard M. Parsons, Director, Department of Wildlife Conservation and Governmental Affairs, Safari Club International; and Dr. Thomas Foose, Program Director, International Rhino Foundation. In his testimony, Secretary Babbitt stated that "the Rhinoceros and Tiger Conservation Fund has gotten off to an excellent start over the past three years. The job has only just begun, however. There is much work to do and no shortage of committed partners seeking our help in Africa and Asia." At the same hearing, Dr. Terry Maple said that "like the African Elephant Conservation Fund, this Fund is designed to be a 'quick-strike' in assisting conservation organiza-

tions on the front lines of saving these animals from extinction.” Finally, Ms. Kathryn S. Fuller testified that “funding from the Rhinoceros and Tiger Conservation Fund is a critical complement to the support already coming for rhino conservation from other private and public sources.”

On February 12, 1998, the Subcommittee on Fisheries Conservation, Wildlife and Oceans considered H.R. 3113 in a markup session and ordered it favorably reported, without amendment, to the full Committee on Resources by voice vote. On March 11, 1998, the full Resources Committee met to consider H.R. 3113. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 3113.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3113. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3113 does not contain new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3113.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3113 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 16, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3113, the Rhinoceros and Tiger Conservation Reauthorization Act of 1998.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

Enclosure.

H.R. 3113—Rhinoceros and Tiger Conservation Reauthorization Act of 1998

Summary: H.R. 3113 would reauthorize, through fiscal year 2004, annual appropriations to the Rhinoceros and Tiger Conservation Fund at the existing authorization level of up to \$10 million. The current authorizations expire after fiscal year 2000. The Secretary of the Interior uses this fund primarily to help finance research and conservation programs overseas. From its inception in 1994, the fund has received appropriations totaling \$1 million.

Assuming appropriation of the authorized amounts, CBO estimates that enacting H.R. 3113 would result in additional discretionary spending of \$12 million over the 2001–2003 period. The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 3113 does not contain any intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA), and would have no impact on the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The authorizations specified by the bill are the same as the current authorization level but are significantly higher than the \$200,000 to \$400,000 that has been appropriated in each of the last few years. For purposes of this estimate, CBO assumes that the entire amounts authorized by H.R. 3113 would be appropriated for each fiscal year through 2004. Outlay estimates are based on historical spending patterns for this program. The estimated budgetary impact of H.R. 3113 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal years, in millions of dollars—					
	1998	1999	2000	2001	2002	2003
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law:						
Authorization Level ¹	(2)	10	10	0	0	0
Estimated Outlays	(2)	1	4	6	6	3
Proposed Changes:						
Estimated Authorization Level	0	0	0	10	10	10
Estimated Outlays	0	0	0	1	4	7

	By fiscal years, in millions of dollars—					
	1998	1999	2000	2001	2002	2003
Spending Under U.S. 3113:						
Estimated Authorization Level ¹	(2)	10	10	10	10	10
Estimated Outlays	(2)	1	4	7	10	10

¹ The 1998 level is the amount appropriated for that year. The 1999 and 2000 levels are the amounts authorized under current law.

² Less than \$500,000

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 3113 contains no intergovernmental or private-sector mandates as defined in UMRA and would have no impact on the budgets of state, local, or tribal governments.

Estimate prepared by: Deborah Reis.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 3113 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 7 OF THE RHINOCEROS AND TIGER CONSERVATION ACT OF 1994

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund \$100,000,000 for each of [fiscal years 1996, 1997, 1998, 1999, and 2000] *fiscal years 1998, 1999, 2000, 2001, 2002, 2003, and 2004* to carry out this Act, to remain available until expended.

